IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 27TH JULY 2006 / 5TH SRAVANA 1928

Bail Appl..No. 4517 of 2006

(CRIME NO.112/2006 OF RAMAPURAM POLICE STATION)

PETITIONER/IST ACCUSED.

ANNAMMA JOSEPH, AGED 56,
W/O.LATE P.J.JOSEPH, PULIKKAL HOUSE,
VELIYANNOOR KARA, VELIYANNOOR P.O.
KOTTAYAM DISTRICT.

BY ADV. SRI.BABU CHERUKARA

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED
BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE,
RAMAPURAM POLICE STATION,
KOTTAYAM DISTRICT.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 4517/2006

DATED THIS THE 27TH DAY OF JULY, 2006

O R D E R

The petitioner is before this Court, under Section 438 Cr.P.C., alleging that she apprehends arrest in crime No.112/2006 of Ramapuram police Station, for the offence punishable under Sections 454 and 380 IPC read with Section 34 IPC. It is alleged that the petitioner had committed theft of certain machineries, kept by the defacto complainant in the building, in which 'Jyothis Vanitha Society, Veliyannoor', was conducting a unit of rice mill.

2. The counsel for the petitioner submitted that the building originally belonged to the husband, who died five years ago and the building was taken on rent, in the year 1996. The society became defunct. The petitioner had no interest adverse to the society. She is only maintaining the building. But the above submission of the counsel for the petitioner is refuted by the prosecution and

submitted that the machinery had been stolen by the petitioner and her men.

3. Without entering into any discussion on the details of the submissions, made by either side, I direct the petitioner to surrender before the Judicial Magistrate of First Class, Pala, on 3.8.2006 at 11.00 a.m. The learned Magistrate shall allow the petitioner to be on bail, imposing such conditions as are deemed necessary. If any application is filed by the prosecution for interrogation, the same shall also be allowed, subject to the conditions, considering the fact that she is a widow aged about fifty six.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs